

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

Shalon Watts and Anthony Watts,

No. 2:22-cv-00428-KJM-AC

## Plaintiffs,

## ORDER

V.

## Anchored Tiny Homes, Incorporated,

**Defendant:**

17 Shalon and Anthony Watts filed their complaint in this action in March 2022. ECF No. 1.  
18 The next day, a summons was issued to the only defendant, Anchored Tiny Homes, Inc., ECF  
19 No. 2, and the court set a status (pretrial scheduling) conference for July 14 2022. ECF No. 3.  
20 The defendant did not file any answer or motions, however, so the court vacated and reset the  
21 scheduling conference. ECF No. 4. The plaintiffs then confirmed in a written status report that  
22 they had served a copy of the complaint on the defendants and that the parties were negotiating a  
23 settlement agreement. ECF No. 6. The defendant did not appear, however, and the court reset  
24 the scheduling conference twice more. ECF No. 7, 8. A status conference is currently set for  
25 November 17, 2022, but the defendant has yet to appear.

26 The plaintiffs are **ordered to show cause within seven days** why this action should not  
27 be dismissed for lack of prosecution under Federal Rule of Civil Procedure 41(b). *See Hernandez*  
28 *v. City of El Monte*, 138 F.3d 393, 399 (9th Cir. 1998) (citing *Henderson v. Duncan*, 779 F.2d

1 1421 (9th Cir. 1986)). The status (pretrial scheduling) conference is **vacated and reset for**  
2 **December 15, 2022 at 2:30 p.m.** before the undersigned.

3 IT IS SO ORDERED.

4 DATED: November 7, 2022.

  
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CHIEF UNITED STATES DISTRICT JUDGE